

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal) Nettempad (Village) – O.P.Nos.439/96 and 440/96 - Sanction of decretal charges of **Rs.1,26,874/-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 621

DATE:17.08.2009

Read:

- 1) From the Special Collector, LA, Bheema Project, Mahabubnagar District Lr.No.E2/PJP/83/2009, dated:24.02.2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP4/226/2009, dt:01.08.2009.

O R D E R:

The Secy.to CCLA, AP, Hyderabad has informed that the Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.439/96 and 440/96 pertaining to Nettempad (V) Dharoor (M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.166.32 gts in the limits of Nettempad (V) Dharoor (M) vide Award No.10/1993, dt:06.03.1993 for the purpose of submergence by fixing the market value @Rs.21,250/-, Rs.16,000/-, Rs.9,000/-, Rs.8,000/- and Rs.3,000/- towards Category-I, II, III, IV & V. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s18(1) of the L.AAct with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered the judgment on 13.04.2005 has enhanced the market value per acre from Rs.9,000/- p.a for Category.III and Rs.3,000/- per acre for Category-IV to Rs.30,000/- per acre. Aggrieved with the market value enhanced by the Sr.Civil Judge, Gadwal, the SDC, LA, PJP, Gadwal has filed appeals before the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court of A.P, Hyd has granted interim stay order on 09.11.2005 and directed to deposit the half of the decretal charges within (8 weeks) from the date of order in O.P.No.439/96 & 440/96 i.e on 09.11.2005. Accordingly an amount of Rs.98,936/- was sanctioned and the same was deposited in the court of the Sr.Civil Judge, Gadwal on 25.04.2006. Finally, the Hon'ble High Court of A.P, Hyd has dismissed the appeal filed by the SDC, LA, PJP, Gadwal by confirming the judgment of the Lower Court on 27.11.2006 & 18.12.2006 vide A.S.No.439/1996 and A.S.No.440/1996.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,26,874/- (Rupees One lakh twenty six thousand eight hundred and seventy four only)** in respect of O.P.Nos.439/96 & 440/96 (total 2 O.Ps) pertaining to Nettempad (V) Dharoor (Mandal) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante, shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (26) – Dams and Appurtenant works - 530 – Major works 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1874/F2(2)/2009-1, dated:26.05.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Secretary to CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar.
The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyd.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.7876/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER